

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Akira FUJISHIMA et al. :
Serial No. NEW : Attn: APPLICATION BRANCH
Filed June 23, 2003 : Attorney Docket No. 2003_0867

CRYSTALS OF BENZIMIDAZOLE COMPOUNDS
(Rule 1.53(b) Divisional of Serial No. 10/019,254,
Filed December 28, 2001)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of ☒ the references listed on attached form PTO-1449 and/or ☐ the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. 10/019,254.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page ,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☐ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Akira FUJISHIMA et al.

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FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: June 23, 2003

ATTY DOCKET NO.
2003_0867SERIAL NO.
NEWAPPLICANT
Akira FUJISHIMA et al.FILING DATE
June 23, 2003

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,628,098	12/1986	Nohara et al.	546	271	
	AB	6,462,058	10/2002	Fujishima et al.	514	338	
	AC						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AD	97/02261	1/1997	WO				
	AE	96/02535	2/1996	WO				
	AF	98/21201	5/1998	WO				
	AC	99/38512	8/1999	WO				
	AH	0 302,720	2/1989	EP				
	AI	9 208 716	5/1999	WO				
	AJ	0 174 726	3/1986	EP				
	AK	96/17077	8/1999	WO				

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AL	H. Nagaya et al., "Effects of the Enantiomers of Lansoprazole (AG-1749) on (H ⁺ + K ⁺)-ATPase Activity in Canine Gastric Microsomes and Acid Formation in Isolated Canine Parietal Cells", Biochemical Pharmacology, Vol. 42, No.10. pp. 1875-1878, 1991.
	AM	H. Katsuki et al., "Determination of R(+)- and S(-)-Lansoprazole Using Chiral Stationary-Phase Liquid Chromatography and Their Enantioselective Pharmacokinetics in Humans", Pharmaceutical Research, Vol. 13, No.4, pp. 611-615, 1996.
	AN	CA 127:336721, Curin et al., 1997.
	AO	CA 127:362535, Vrečer et al., 1997.
	AP	

EXAMINER

DATE CONSIDERED